

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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UNITED STATES OF AMERICA,)	
Plaintiff,)	
)	
v.)	Criminal Docket No.
)	1:03-CR-10353-001-WGY
)	
ROMAN VALDMA,)	
Defendant.)	
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**MOTION TO APPLY BAIL TO CRIMINAL FINE PURSUANT TO
28 U.S.C. § 2044**

The United States of America respectfully moves this Court, pursuant to 28 U.S.C. § 2044 of the Federal Rules of Criminal Procedure, to declare a forfeiture of the appearance bond executed by the defendant in the sum of \$50,000.00, deposited in the Registry of the Court.

In support of this motion, the government states the following:

1. On or about November 23, 2004, the defendant plead guilty to criminal conduct and was sentenced to the custody of the Federal Bureau of Prisons for a term of 41 months and was ordered to pay a criminal assessment of \$2,000 and a criminal fine of \$75,000.

2. After the original criminal complaint against the defendant was filed and before he plead guilty to the allegations contained in the complaint, the as a condition of his release, the defendant was ordered to pay over to the Registry of the

Court \$50,000.

3. According to the records of the U.S. District Court Clerk's Office for the District of Massachusetts, the defendant has an outstanding balance on his criminal fine of \$75,000.00.

WHEREFORE, the United States respectfully requests, pursuant to 18 U.S.C. § 3146(d), that the Court declare the defendant's appearance bond in the sum of \$50,000.00 cash deposit made by the defendant be forfeited to the United States Treasury in a separate account known as the Crime Victims Fund, pursuant to 42 U.S.C. § 10601.

Respectfully submitted,

UNITED STATES OF AMERICA
By its attorneys

MICHAEL J. SULLIVAN
United States Attorney

Dated: February 11, 2005

By: /S/ Christopher R. Donato
CHRISTOPHER R. DONATO
Assistant U.S. Attorney
John Joseph Moakley Courthouse
One Courthouse Way, Suite 9200
Boston, Massachusetts 02210
(617) 748-3303

CERTIFICATE OF SERVICE

I certify that on this day a true copy of the above motion was served by first class mail, postage prepaid, upon the attorney for the defendant at the following address:

Matthew D. Thompson, Esq.
Butters Brazilian, LLP,
One Exeter Plaza
699 Boylston Street
Boston, Massachusetts 02116

Dated: February 11, 2005

/S/ Christopher R. Donato
CHRISTOPHER R. DONATO
Assistant U.S. Attorney